

United States District Court
Western District of Texas
Austin Division

Jerome Schmidt,
Plaintiff,

v.

United States of America
Defendant.

No. 1:18-CV-00088-DAE

Defendant's Second Amended Exhibit List

In accordance with the Court's Order at Docket 57, the United States files the following amended list of exhibits that the United States intends to offer for admission:

JOINT EXHIBITS (MEDICAL RECORDS)

The United States incorporates by reference the joint exhibits listed by Schmidt. Dkt. 77 at 2-29 (listing J-EX 1-15). The parties have agreed that these exhibits should be preadmitted.

GENERAL EXHIBITS

Number	Description	Offered	Admitted
G-1	Toyota Photos		
G-2	Texas Peace Officer's Report-October 13, 2015		
G-3	Van Photos		
G-4	Aerial View of Accident Scene		
G-5	South Lamar Street Picture		
G-6	Van Repair Estimate		
G-7	Scott Bayley CV		
G-8	Margot Burns CV		
G-9	Kyle Boone CV		
G-10	Julio Chalela CV		
G-11	Christopher Loftus CV		

G-12	Richard Watson CV		
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ARTICLES & MEDICAL AUTHORITIES

Number	Description	Offered	Admitted
G-13	American Academy of Neurology, <i>Update Evaluation and management of concussion in sports</i> (2013)		
G-14	Anand, A., Li, Y. Wang, Y. , Wu, J., Gao,S., Bukhari,L,...& Lowe,M. J., <i>Activity and connectivity of brain mood and regulating circuit in depression: a functional magnetic resonance study</i> , Biological psychiatry (2005)		
G-15	Arnold, G. Boone, K.B., Lu.P., Dean, A. Wen,J., Nitch, S., & McPherson, S, <i>Sensitivity and specificity of finger tapping test scores for the detection of suspect effort</i> , The Clinical Neuropsychologist (2005)		
G-16	Asken BM <i>et al</i> , <i>Diffusion tensor imaging (DTI) findings in adult civilian military and sports-related mild traumatic brain injury (mTBI): a systematic review</i> , Brain Imaging and Behavior, 12:585-612 (2018)		
G-17	Beason-Held, L.L., Moghekar,A. Zonderman, A.B., Draut, M.A. & Resnick, S.M., <i>Longitudinal changes in cerebral blood flow in the older hypertensive brain</i> , Stroke (2007)		
G-18	Beauchet, O., <i>Testosterone and cognitive function: current clinical evidence of a relationship. European Journal of Endocrinology</i> (2006)		
G-19	Belanger, H.G., & Vanderploeg, R.D., <i>The neuropsychological impact of sports-related concussion; a meta-analysis</i> , Journal of the International Neuropsychological Society (2005)		
G-20	Belanger, H.G., Curtiss, G. Demery, J.A., Lebowitz, B.K., & Vanderploeg, R.D., <i>Factors moderating neuropsychological outcomes following mild traumatic brain injury: A meta-analysis</i> , Journal of the International Neuropsychological Society (2005)		
G-21	Benbadis, SR. <i>The tragedy of over-read EEGs and wrong diagnoses of epilepsy</i> , Editorial (2010)		
G-22	Benitez, A. & Gunstad, J., <i>Poor sleep quality diminishes cognitive functioning independent of depression and anxiety</i>		

	<i>in healthy young adults</i> , The Clinical Neuropsychologist (2012)		
G-23	Bigler, E.D., <i>Neuropsychological testing defines the neurobehavioral significance of neuroimaging-identified abnormalities</i> . Archives of clinical neuropsychology (2001)		
G-24	Binder, L.M., Rohling, M.L. & Larrabee, G.J. <i>A review of mild head trauma. Part I: Meta-analytic review of neuropsychological studies</i> , Journal of clinical and experimental neuropsychology (1997)		
G-25	Boone, K.B., Lesser, I.M., Miller, B.L., Wohl, M., Berman, N. Lee, A., ... & Back, C., <i>Cognitive functioning in older depressed outpatients: Relationship of presence and severity of depression to neuropsychological test scores</i> . Neuropsychology (1995)		
G-26	Boone, K.B., Lu, P. & Wen, J., <i>Comparison of various RAVLT scores in detection of noncredible memory performance</i> , Archive of Clinical Neuropsychology (2005)		
G-27	Boone, K.B., Miller, B.L., Lesser, I.M., Mehringer, C.M., Hill-Gutierrez, E., Goldberg, M.A., & Berman, N.G., <i>Neuropsychological correlates of white-matter lesions in healthy elderly subjects: a threshold effect</i> , Archives of Neurology (1992)		
G-28	Buckley, T.A., Munkasy, B.A., & Clouse, B.P., <i>Acute cognitive and physical rest may not improve concussion recovery time</i> , The Journal of head trauma rehabilitation, (2016)		
G-29	Bucks, R.S., Olaithe, M. & Easterwood, P. <i>Neurocognitive function in obstructive sleep apnea: A meta-review</i> . Respiriology (2013)		
G-30	Canessa, N., Castronovo, V., Cappa, S.F., Aloia, M.S., Marelli, S., Falini, A., ... & Ferini-Strambi, L., <i>Obstructive sleep apnea: brain structural changes and neurocognitive function before and after treatment</i> . American Journal of Respiratory and Critical Care Medicine (2011)		
G-31	Carolozzi, N.E., Grech, J., & Tulsky, D.S., <i>Memory functioning in individuals with traumatic brain injury: An examination of the Weschler Memory Scale-Fourth Edition (WMS-IV)</i> , Journal of clinical and experimental neuropsychology (2013)		
G-32	Carroll, L., Cassidy, J.D., Peloso, P., Borg, J., Von Holst, H., Holm, L., Ill & Pepin, M., <i>Prognosis for mild traumatic brain</i>		

	<i>injury: results of WHO Collaborating Centre Task Force on Mild Traumatic Brain Injury</i> . Journal of rehabilitation medicine (2004)		
G-33	Chaleda, Julio A., <i>Neurologists in Iraq Five Years Later</i> , Contemporary Issues in Neurological Practice (2012)		
G-34	Crane, P.K., Gibbons, L.E., Dams-O'Connor, K., Trittschuh, E., Leverenz, J.B., Keene, C.D.,...& Schneider, J.A. <i>Association of traumatic brain injury with late-life neurodegenerative conditions and neuropathologic findings</i> . JAMA neurology (2016)		
G-35	<i>Detection, Diagnosis and Management of Dementia</i> , American Academy of Neurology Guideline Summary for Clinicians		
G-36	Diaz-Asper, C.M., Schretlen, D.J., & Pearlson, G.D., <i>How well does IQ predict neuropsychological test performance in normal adults?</i> Journal of the International Neuropsychological Society (2004)		
G-37	DiFazio, M., Silverberg, N.D., Kirkwood, M.W., Bernier, R., & Iverson, G.L., <i>Prolonged activity restriction after concussion: are we worsening outcomes?</i> , Clinical pediatrics (2016)		
G-38	Dikmen <i>et al</i> , <i>Neuropsychological Outcome at 1-Year Post Head Injury</i> , Neuropsychology (1995)		
G-39	Dikmen, S.S., Corrigan, J.D., Levin, H.S., Machamer, J., Stiers, W. & Weisskopf, M.G., <i>Cognitive outcome following traumatic brain injury</i> , The Journal of head trauma rehabilitation (2009)		
G-40	Eastley, R., Wicock, G.K., & Bucks, R.S., <i>Vitamin B12 deficiency in dementia and cognitive impairment: the effects of treatment on neuropsychological function</i> , International journal of geriatric psychiatry (2000)		
G-41	<i>Ethical Principles of Psychologists And Code Of Conduct</i> Adopted Aug 21, 2002, Effective Jun 1, 2003 With 2010 Amendments Adopted Feb 20, 2010 Effective Jun 1, 2010.,		
G-42	Ettenhofer, M.L., & Abeles, N. <i>The significance of mild traumatic brain injury to cognition and self-reported symptoms of long-term recovery from injury</i> , Journal of clinical and experimental neuropsychology (2009)		
G-43	Evans, RW, <i>Postconcussion Syndrome</i> , UpToDate,		

G-44	Frencham, K.A., Fox, A.M. & Maybery, M.T. <i>Neuropsychological studies of mild traumatic brain injury: A meta-analytic review of research since 1995</i> . Journal of Clinical and Experimental Neuropsychology (2005)		
G-45	Godbolt, A.K., Cancelliere, C., Hincapie, C.A., Marras, C., Boyle, E., Kristman, V.L., ... & Cassidy, J.D., <i>Systematic review of the risk of dementia and chronic cognitive impairment after mild traumatic brain injury: results of the International Collaboration on Mild Traumatic Brain Injury Prognosis</i> : Archives of physical medicine and rehabilitation (2014)		
G-46	Greiffenstein, M.F., <i>Clinical myths of forensic neuropsychology</i> , The Clinical Neuropsychologist		
G-47	Gruber, S.A., Silveri, M.M. & Yurgelun-Todd, D.A. (2007) <i>Neuropsychological consequences of opiate use</i> . Neuropsychology review (2009)		
G-48	Guidelines for Concussion and TBI and Persistent Symptoms: 3 rd Ed., Canadian Guidelines.		
G-49	Harvey, PD <i>et al</i> , <i>Clinical applications of neuropsychological assessment</i> , Dialogues in Clinical Neuroscience (2012)		
G-50	Hawkins, K.A., Tulskey, D.S., <i>The influence of IQ stratification on WAIS-III/WMS-III FSIQ-general memory index discrepancy base-rates in the standardization sample</i> . Journal of the International Neuropsychological Society (2001)		
G-51	Heilbronner <i>et al</i> , <i>American Academy of Clinical Neuropsychology Consensus Conference Statement on the Neuropsychological Assessment of Effort, Response Bias, and Malingering</i> , The Clinical Neuropsychologist (2012)		
G-52	Katzman, G.L., Dagher, A.P., & Patronas, N.M.J., <i>Incidental findings on brain magnetic resonance imaging from 1000 asymptomatic volunteers</i> . JAMA (1999)		
G-53	Kim, B.S., Illes, J. Kaplan, R.t., Reiss, A., & Atlas, S.W., <i>Incidental findings on pediatric MR images of the brain</i> . American Journal of Neuroradiology (2002)		
G-54	Lange RT <i>et al</i> , <i>Postconcussion symptom reporting is not associated with diffusion tensor imaging findings in the subacute to chronic phase of recovery in military service members following mild traumatic brain injury</i> , Journal of Clinical and Experimental Neuropsychology (2019)		

G-55	Larrabee <i>et al</i> , <i>Meta-Analytic Methods and the Importance of Non-TBI Factors Related to Outcome in Mild Traumatic Brain Injury: Response to Bigler et al</i> , The Clinical Neuropsychologist (2013)		
G-56	Larson, EB. <i>Evaluation of cognitive impairment and dementia</i> , UpToDate		
G-57	Lorenzetti, V., Allen, N.B., Fornito, A., & Yucel, M. <i>Structural brain abnormalities in major depressive disorder: a selective review of recent MRI studies</i> . Journal of affective disorders (2009)		
G-58	Martin, P.K., Schroeder, R.W., & Odland, A.P., <i>Neuropsychologists' validity testing beliefs and practices: A survey of North American professionals</i> , The Clinical Neuropsychologist (2015)		
G-59	McCrea, M., <i>Mild traumatic brain injury and postconcussion syndrome: The new evidence base for diagnosis and treatment</i> , Oxford Workshop Series: American Academy of Clinical Neuropsychology (2008)		
G-60	McCrea, M., Guskiewicz, K., Randolph, C., Barr, W.B., Hammeke, T.A., Marshall, S.W., & Kelly, J.P. <i>Effects of symptom-free waiting period of clinical outcome and risk of reinjury after sport-related concussion</i> . Neurosurgery (2009)		
G-61	Miller, J.W. <i>Solving the Dilemma of EEG misinterpretation</i> , Editorial, Neurology (2013)		
G-62	Moor, H.M., Eisenhauer, R.C., Killian, K.D., Proudfoot, N., Henriques, A.A., Congeni, J.A., & Reneker, J.C, <i>The relationship between adherence behaviors of recovery time in adolescents after a sports-related concussion</i> , Neurosurgery (2015)		
G-63	Morris, Z, Whiteley, W.N., Longstreth, W.T., Weber, F., Lee, Y.C., Tsushima, Y....& Salman, R.A.S, <i>Incidental findings on brain magnetic resonance imaging: systematic review and meta-analysis</i> . BMJ (2009)		
G-64	Naess-Schmidt, ET <i>et al</i> , <i>Diffusion MRI findings in patients with extensive and minimal post-concussion symptoms after mTBI and healthy controls: a cross-sectional study</i> , Brain Injury (2018)		
G-65	Palmer, B.W., Boone, K.B., Lesser, I.M., & Wohl, M.A. <i>Base rates of "impaired" neuropsychological test</i>		

	<i>performance among healthy older adults. Archives of Clinical Neuropsychology</i> (1998)		
G-66	Panayiotou, A., Jackson, M., & Crowe, S.F., <i>A meta-analytic review of the emotional symptoms associated with mild traumatic brain injury. Journal of Clinical and Experimental Neuropsychology</i> (2010)		
G-67	Pertab, JL <i>et al</i> , <i>Limitations on mild traumatic brain injury meta-analyses</i> , Brain Injury (2009).		
G-68	Plassman, B.L., Havlik, R.J. , Steffens, D.C., Helms, M.J., Newman, T.N., Drosdick, D., ...& Guralnik,J.M., <i>Documented head injury in early adulthood and risk of Alzheimer's disease and other dementias. Neurology</i> (2000)		
G-69	Ramalho J. <i>et al</i> , <i>Dementia resulting from traumatic brain injury</i> , Dement Neuropsychol (2015)		
G-70	Reddy C. <i>Postconcussion Syndrome: A Psychiatrist's Approach</i> , PM&R (2011)		
G-71	Rohling, RL <i>et seq.</i> , <i>A Meta-analysis of Neuropsychological Outcome After Mild Traumatic Brain Injury: Re-analyzes and Reconsiderations of Binder et al</i> , The Clinical Neuropsychologist, The Clinical Neuropsychologist (2011)		
G-72	RSNA Statement on Traumatic Brain Injury (TBI) Imaging (Updated 9/13/2018)		
G-73	Russell, E., <i>Toward an explanation of Dodrills observation: High neuropsychological test performance does not accompany high IQs</i> , The Clinical Neuropsychologist (2001)		
G-74	Salerno, J.A., Murph, D.G., Horwitz, B., DeCarli,C. Haxby, J.V., Rapoport, S.I., & Schapiro, M.B., <i>Brain atrophy in hypertension. A volumetric magnetic resonance imaging study</i> , Hypertension (1992)		
G-75	Scahill, RI <i>et al</i> , <i>A Longitudinal Study of Brain Volume Changes in Normal Aging Using Serial Registered Magnetic Resonance Imaging</i> , Arch Neurol (2003)		
G-76	Schoechlin, C., & Engel, R.R., <i>Neuropsychological performance in adult attention-deficit hyperactivity disorder: Meta-analysis of empirical data</i> , Archivers of Clinical Neuropsychology (2005)		
G-77	Schretlen, D.J., & Shapiro, A.M., <i>A quantitative review of the effects of traumatic brain injury on cognitive functioning</i> , International review of psychiatry (2003)		

G-78	Shenton, ME, <i>Mild Traumatic Brain Injury: Is DTI ready for the courtroom</i> , Int. J of Law and Psychiatry (2018)		
G-79	Shively, SS <i>et al</i> , <i>Dementia Resulting From Traumatic Brain Injury</i> , Arch Neurol (2012).		
G-80	Singer, R.B., <i>Incidences of seizures after traumatic brain injury-a 50-year population survey</i> , Journal of insurance Medicine of New York (2001)		
G-81	Smith SJM, <i>EEG In Neurological Conditions Other Than Epilepsy: When Does It Help, What Does It Add?</i> , J Neurol. Neurosurg Psychiatry (2005)		
G-82	Stein, RA <i>et al</i> , <i>A Review of the Neuropsychological Effects of Commonly Used Prescription Medications</i> , Archives of Clinical Neuropsychology (1998).		
G-83	Stranks, E.K. & Crowe, S.F., <i>The acute cognitive effects of zopiclone, zolpidem, zaleplon, and escopiclone: a systematic review and meta-analysis</i> , Journal of clinical and experimental neuropsychology (2014)		
G-84	Thatcher, RW <i>et al</i> , <i>EEG discriminant analyses of mild head trauma</i> , Electroencephalography and clinical Neurophysiology (1989)		
G-85	Thomas, D.G. Apps, J.N., Hoffman, R.G., McCrea, M. & Hammeke, T. <i>Benefits of strict rest after acute concussion: a randomized controlled trial</i> . Pediatrics (2015)		
G-86	Viano, David, <i>Concussion, Diffuse Axonal Injury, and AIS4+ Head Injury in Motor Vehicle Crashes</i> , Traffic Injury Prevention (2015)		
G-87	Weaver LK <i>et al</i> <i>Comprehensive Evaluation of Healthy Volunteers Using Multi-Modality Brain Injury Assessments: An Exploratory, Observational Study</i> , Frontiers in Neurology (2018)		
G-88	Wortzel <i>et al</i> , <i>The Potential for Medicolegal Abuse: Diffusion Tensor Imaging in Traumatic Brain Injury</i> , AJOB Neuroscience (2014)		
G-89	Yaouhi, K., Bertran, F., Clochon, P., Mezenge, F., Denise, P., Foret, J.,... & Desgranges, B. <i>A combined neuropsychological and brain imaging study of obstructive sleep apnea</i> , Journal of Sleep Research (2009)		
G-90	Zakzanis, K.K. & Jeffay, E. <i>Neurocognitive variability in high-functioning individuals: Implications for the practice of clinical neuropsychology</i> , Psychological Reports (2011)		

G-91	Zane, K.L., Gfeller, J.D., Roskos, P.T., & Bucholz, R.D., The Clinical Utility of the Conners' Continuous Performance Test-II in Traumatic Brain Injury. Archives of Clinical Neuropsychology (2016)		
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BOOKS

Number	Description	Offered	Admitted
G-92	Jack Jallo & Christopher M. Loftus, <i>Neurotrauma and Critical Care of the Brain</i>		

DEMONSTRATIVES

Number	Description	Offered	Admitted
GD-93	Bayley: Schedule A- Documents Received Regarding Jerome Schmidt		
GD-94	Bayley: Lost Earnings And Household Contributions Resulting From Injury-Table		
GD-95	Bayley: Life Expectancy- Table		
GD-96	Bayley: Work Life Expectancy- Table		
GD-97	Bayley-Accumyn Plan 1-Life Care cost analysis-Update		
GD-98	Bayley-Accumyn Plan 2-Life Care cost analysis-Update		
GD-99	Bayley-Summary Life Care Cost Analysis Using Updated Inflation Rates		
GD-100	Bayley: Other Charts, Summaries, Diagrams or Spreadsheets, Other Comparisons.		
GD-101	Burns: Life Care Plan Tables		
GD-102	Burns: Life Care Plan Totals		
GD-103	Loftus: Summary Analysis Regarding Bigler, Lewine, Thoma, Synder		
GD-104	Loftus: Summary Chart-Why Majority List of 21 Initial Peer Review Articles Referenced As Supporting Plaintiff's Position Are Insupportable		
GD-105	Loftus: Summary of selected elements of Schmidt's past history (pre-accident)		
GD-106	Watson Figure 1: Scene photos		

GD-107	Watson Figure 2: Scene Photo of Toyota		
GD-108	Watson Figure 3: Exemplar Vehicle Lineup		
GD-109	Watson Figure 4: Approximate Alignment of Vehicles		
GD-110	Watson Figure 5: Crush Profile of Chevrolet (graph)		
GD-111	Watson Figure 6: Crush Profile of Chevrolet (photo & outline)		
GD-112	Watson Figure 7: Chevrolet van from NASS case 2010-75-158		
GD-113	Watson Figure 8: Chevrolet van from NASS case 2013-82-060		
GD-114	Watson Figure 9: Toyota from NASS case 2007-42-007		
GD-115	Watson Figure 10: Toyota from NASS case 2009-05-019		
GD-116	Watson Figure 11: Toyota 4Runner in NCAP 35 mph barrier impact test		
GD-117	Watson Figure 12: IIHS 40 mph barrier test of Toyota 4Runner		
GD-118	Watson Figure 13: Concussion Risk vs Head Acceleration from Rowson 2011		
GD-119	Watson Figure 14: Headinjury risk vs vehicle Delta-V from Viano 2015		
GD-120	Watson: Accident history, NASS Data (Oct. 2018)		
GD-121	Watson: Exemplar Photographs & Measurements		
GD-122	Watson: NASS CDS (2004-2015) (minor/moderate injuries)		
GD-123	Watson: NASS CDS (2004-2015) (no injuries)		
GD-124	Watson: Summary of Available Test Reports		
GD-125	Watson: Vehicle Information		
GD-126	Watson: VinLink Reports		
GD-127	Bayley Trial Exhibits		

GD-128	Boone Trial Demonstratives		
GD-129	Burns Trial Exhibits		
GD-130	Chalela Trial Exhibits		
GD-131	Loftus Trial Demonstratives		
GD-132	Watson Trial Exhibits		

NEWLY PUBLISHED ARTICLES & MEDICAL AUTHORITIES

Number	Description	Offered	Admitted
G-133	Forte, Giuseppe; De Pascalis, Vilfredo; Fvieri, Francesca; & Casagrande, Maria, <i>Effect of Blood Pressure on Cognitive Performance: A Systematic Review</i> . Journal of Clinical Medicine. (2020)		

Respectfully submitted,

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I certify that on January 10, 2020, I electronically filed this document with the Clerk of Court using the CM/ECF system.

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